

T00362  
10/029,920

In the Drawings:

None

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This amendment is in response to the Examiner's Office Action dated 3/25/2005 and further in view of the telephone interview of 06/20/2005. Applicant is appreciative of the professional and courteous interview held with the examiner. The applicant believes that the arguments presented in the interview and the current amendment should obviate outstanding rejections and make the pending claims allowable. The specification and the claims have been amended for clarification purposes without adding new matter.

Specifically, independent claims 1, 10, and 20 have been amended (without adding new matter) to clarify that the "operational information" corresponds to "state information" of residential devices. Support for such a clarification can be found on page 5, lines 19-21 of the application-as-filed which states that "residential device 107 ... responds to queries about its current state" and page 6, line 17-18 which states that "residential device 107 responds with operational information concerning its state". Reconsideration of the pending claims is respectfully requested in light of the foregoing amendment and further in view of the interview of 6/20/2005.

STATUS OF CLAIMS

Claims 1-28 are pending.

Claims 1, 2, 10, 11, 18, 20 and 21 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Petite et al. (USP 6437692).

Claims 3, 4, 6-9, 12, 13, 15-17, 19 and 22, 23, 25-28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Petite in view Mecham et al. (USP 6314340).

Claims 5, 14, 24 are cancelled.

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10/029,928OVERVIEW OF CLAIMED INVENTION

The presently claimed invention relates to a method and system for controlling residential devices connected to a residential gateway based on control parameters received from a control server. The control server determines control parameters from control information accessed from an information server, such as weather station server (e.g., www.weatherbug.com) storing climatic information from a plurality of weather stations, on the Internet and state information of the residential device. The residential gateway comprises a software module that receives these control parameters from the control server via an Internet connection and causes the residential gateway to control the residential devices.

REJECTIONS UNDER 35 U.S.C. § 102(e)

Claims 1, 2, 10, 11, 18, 20 and 21 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Petite et al. (USP 6437692), hereafter Petite. To be properly rejected under 102(e), each and every element of the claims must be disclosed in a single cited reference. The applicant, however, contends that the presently claimed invention cannot be anticipated in view of the Petite reference.

The Petite reference teaches the use of one or more sensors (see figure 2, elements 212, 214, 216, 220, 222, 224 of Petite et al.), placed at a predefined location (such as a residential location), in conjunction with a remotely located server, wherein the server receives sensed information from the predefined location (such as a residential location) over a network (see figure 2, element 230 of Petite et al.) and uses such sensed information to generate control signals that are used in controlling one or more devices at the pre-defined location. Hence, in Petite's system, information transmitted by the sensors located, for example, at a residential location is used in controlling the devices that are at the residential location.

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By stark contrast, applicant's invention does not require the deployment of sensors at a residential location. Further, applicant's invention also does not require the transmission of sensed control parameters that are used by a server in controlling devices at a residential location. The control server of applicant's invention determines control information from one or more information servers on the Internet and state information (not sensed information) of residential device, a limitation neither taught nor suggested by the Petite reference.

The examiner on page 2 of the office action cites column 7, lines 54-57 of the Petite et al. reference as teaching the limitation of a control server determining "the control parameters from relevant control information accessed from one or more information servers on the Internet and operation information of residential devices". A closer reading of the citations and the entire Petite reference fails to either teach or suggest such a limitation. The citation merely mentions that the server 260 in conjunction with database 270 serve as a "data collection and reporting device" wherein the stored data represents the data gathered at a client's location via a plurality of sensors. As mentioned above, Petite's setup requires sensed information to be transmitted to server 260, wherein server 260, upon reception of such sensed information, controls the devices located at the residential area. Applicant's control server, on the other hand, determines control information from one or more information servers on the Internet and state information (not sensed information) of residential device.

Hence, applicant contends that the Petite reference can neither anticipate nor render obvious many of the limitations of independent claims 1, 10, and 20.

Additionally, it should also be noted that applicant's implementation would be much more economically efficient as residential users would not have to invest in sensors equipped with transmitters.

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Further, applicant respectfully requests the examiner to reconsider dependent claims 2, 11, 18 and 21 as they inherit all the limitations of the claims from which they depend.

REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 3-9, 12-17, 19 and 22-28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Petite in view Mecham et al. (USP 6314340), hereafter Mecham. To be properly rejected under U.S.C. § 103(a), each and every element of the claims must be addressed through known prior art or be recognized as an obvious variation thereof. Applicant contends that the combination of the Petite and Mecham references fail to provide many of the limitations of applicant's pending claims.

The Mecham reference merely provides for an irrigation controller that measures temperature and implements the Hargreaves equation (for calculating evapotranspiration) with local deviation adjustment. Also, as discussed in the previous section, the Petite reference does not anticipate or render obvious the limitations of determining control parameters from control information accessed from one or more information servers such as a weather station server storing climatic information from a plurality of weather stations, on the Internet and state information of the residential device of independent claims 1, 10 and 20. Thus, applicant contends that it would not have been obvious to a person having ordinary skill in the art to modify the system disclosed by the Petite reference to include control parameters and information taught by Mecham in order to provide for the limitations of applicant's invention.

Further, applicant respectfully requests the examiner to reconsider dependent claims 3, 4, 6-9, 12, 13, 15-17, 19, 22, 23, and 25-28 as they inherit all the limitations of the claims from which they depend.

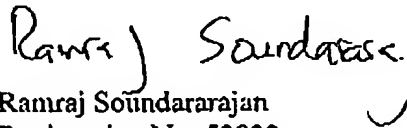
T00362  
10/029,928SUMMARY

As has been detailed above, none of the references, cited or applied, provide for the specific claimed details of applicant's presently claimed invention, nor renders them obvious. It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested.

As this amendment has been timely filed within the set period of response, no petition for extension of time or associated fee is required. However, the Commissioner is hereby authorized to charge any deficiencies in the fees provided to Deposit Account No. 12-0010.

If it is felt that an interview would expedite prosecution of this application, please do not hesitate to contact applicant's representative at the below number.

Respectfully submitted,



Ramraj Soundararajan  
Registration No. 53832

1725 Duke Street  
Suite 650  
Alexandria, Virginia 22314  
(703) 838-7683  
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